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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/580,862

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Naoufel Chraiet

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EXAMINER

ELFERVIG, TAYLOR A

ART UNIT

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4127

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,862	Applicant(s) CHRAIET ET AL.	
	Examiner TAYLOR ELFERVIG	Art Unit 4127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/26/2006, 04/27/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 3-6, 8, 9 and 11-13** rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication 2004/0203909 A1 to *Koster* to ("*Koster*").

As to claim 1, *Koster* teaches a method for managing information between communicating objects (200, 235), said information originating from information provider communicating objects (235, Information Service Provider) and considered by communicating objects (200, Mobile Terminal with Display) able to deliver information, said method comprising the steps (Fig. 2A, ¶0050-¶0053):

acquiring (Fig. 1, 10, Ant) and storing data (Fig. 1, 18, Memory) comprising an item of information to be disseminated by an information provider communicating object (Fig. 2A, 235, Information Service Provider) and comprising a parameter (Fig. 10A, 1000) identifying a location associated with

said item of information (Fig. 7A), the location belonging to a set of locations identified in a unique manner in a system of reference (Fig. 10A) (§§0043, §0106); and

delivering at least one stored item of information associated with said location (510) by way of at least one communicating object able to deliver information and situated at said location (500) (Fig. 5A).

As to claim 3, *Koster* teaches a stored item of information associated with a location (510) is delivered by way of a communicating object (500) able to deliver information and providing the parameter indicating the identification of said location (510) (Fig. 5A, §0069).

As to claim 4, *Koster* teaches determining a location in which a communicating object (Fig. 2A, 200) able to deliver information is situated (Fig. 4A, 405) (§§0049, §0062), and

delivering stored information (510) associated with said location by way of said communicating object (500) (Fig. 5A, §0070).

As to claim 5, *Koster* teaches determining a location (205, GPS Satellite) in which an object providing information is situated (Fig. 2A), and

acquiring (Fig. 1, 10, Ant) and storing (Fig. 1, 18, Memory) at least one datum comprising an item of information provided by way of said object providing

information (Fig. 2A, 205, GPS Satellite) and a parameter indicating the identification of said location (§§0043).

As to claim 6, *Koster* teaches carrying out a step of identification of a user of a communicating object able to deliver information (§§0069), and

affording access of the user to stored information associated with a location by way of said communicating object as a function of at least the results of this step of identification (§§0069).

As to claim 8, *Koster* teaches information provider communicating object (235, Information Service Provider) associated with a location comprises an information acquisition device (235) fixed to said location (Fig. 2A). Here, the Information Service Provider is receiving Data Inputs.

As to claim 9, *Koster* teaches carrying out at least one step of identification of a user (Fig. 7B, 712) of an information provider communicating object (Fig. 7B, 720) (§§0090, §§0091), and

acquiring (Fig. 7C, 720) and storing (Fig. 7C, 724, Database) at least one datum comprising an item of information provided by the user (Fig. 7C, 726, Service Profile for Subscriber) by way of said object as a function of at least the results of this step of identification (Fig. 7B, Fig. 7C, §§0090, §§0091). Here, a user of a mobile terminal sends user information to a MSC (Mobile Switching System) which in turn sends it an APS (Adjunct Processing System).

As to claim 11, *Koster* teaches triggering, when a communicating object is located for the first time in a location, an operation destined for said communicating object (Fig. 5A, 500), prompting it to provide an item of information when the communicating object is an information provider (Fig. 8C, 892), and to have access to stored information associated with said location when the communicating object is able to deliver information (Fig. 5A, Fig. 10A) (§§0069, §§0070, §§0097). Examiner has interpreted the meaning of “triggering, when a communicating object is location for the first time in a location” to mean when a device enters a particular area then an initialization is performed. *Koster* teaches the use of GPS. *Koster* embodiments would perform/act the same or similar whether it was in a location for the first time or not.

As to claim 12, *Koster* teaches a system for managing information between communicating objects by way of a location (200, 235), said information originating from information provider communicating objects (235, Information Service Provider) and considered by communicating objects able to deliver information (200, Mobile Terminal with Display) (Fig. 2A, §§0050-§§0053), said system comprising:

means for acquiring (Fig. 1, 10, Ant) and storing data (Fig. 1, 18, Memory) comprising an item of information to be disseminated provided by an information provider communicating object (Fig. 2A, 235, Information Service Provider) and comprising a parameter (Fig. 10A, 1000) identifying a location associated with said item of information (Fig. 7A), the location belonging to a set of locations

identified in a unique manner in a system of reference (Fig. 10A) (§0043, §0106);
and

means for delivering at least one stored item of information associated with said location (510) by way of at least one communicating object able to deliver information and situated at said location (500) (Fig. 5A).

As to claim 13, *Koster* teaches a platform for managing information comprising at least two information management systems (200, 235), each information management system comprising:

means for acquiring (Fig. 1, 10, Ant) and storing data (Fig. 1, 18, Memory) comprising an item of information to be disseminated provided by an information provider communicating object (Fig. 2A, 235, Information Service Provider) and comprising a parameter (Fig. 10A, 1000) indicating an identification of a location associated with said item of information (Fig. 7A), the location belonging to a set of locations identified in a unique manner in a system of reference (Fig. 10A) (§0043, §0106);

means for delivering at least one stored item of information associated with said location (Fig. 5A, 510) by way of at least one communicating object able to deliver information and situated at said location (Fig. 5A, 500) the platform comprising means specifically for matching up the location identification in the system of reference of one of the two information management systems with the location identification in the system of reference of the other of the two

information management systems (Fig. 7B, Fig. 7C, ¶¶0069-¶¶0071, ¶¶0091). Here, the Mobile Terminal gets its GPS coordinates from GPS satellites and then transmits them to the MSC then off to the Adjunct and then finally to the ISP where it will take the information and return a map as to the location of the Mobile Terminal.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 2** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to *Koster* to ("*Koster*") in view of U.S. Patent Application Publication No. 2002/0026361 A1 to *Blom* ("*Blom*").

As to **claim 2**, *Koster* discloses A method for managing information between communicating objects, said information originating from information provider communicating objects and considered by communicating objects able to deliver information as discussed in claim 1.

Koster does not expressly disclose communicating object able to deliver information comprises an information delivery device fixed at a location, said

information delivery device affording access to stored information associated with said location.

Blom discloses communicating object able to deliver information comprises an information delivery device fixed at a location, said information delivery device affording access to stored information associated with said location (¶0003).

Koster and *Blom* are analogous art because they are from same field of endeavor with respect to position-based information distribution.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate the displaying information associated with a location as discussed *Blom* within the communication system discussed in *Koster*. The suggestion/motivation would have been a need to ensure that only those users in the vicinity of a particular location received the information (*Blom*, ¶0003).

5. **Claims 7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to *Koster* to ("*Koster*") in view of U.S. Patent Application Publication No. 2003/0187949 to *Bhatt et al.* ("*Bhatt*").

As to **claim 7**, *Koster* discloses A method for managing information between communicating objects, said information originating from information provider communicating objects and considered by communicating objects able to deliver information and steps for carrying out a step of identification of a user of a communicating object able to deliver information, and affording access of the

user to stored information associated with a location by way of said communicating object as a function of at least the results of this step of identification as discussed in claim 1 and claim 6.

Koster does not expressly disclose a step of authentication of the user is carried out, and access to associated stored information is a function of at least the results of this step of authentication. However, *Koster* does teach that a user identity must be established by some method in order to access some certain information (§0069).

Bhatt discloses a step of authentication of the user is carried out, and access to associated stored information is a function of at least the results of this step of authentication (§0026).

Koster and *Bhatt* are analogous art because they are from same field of endeavor with respect to determining the physical location of user.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate the authentication process discussed *Bhatt* within the communication system discussed in *Koster*. The suggestion/motivation would have been a need to ensure that only those users with appropriate access and privileges obtain the transmitted information (*Bhatt*, §0026).

As to claim 10, *Bhatt* teaches a step of authentication of the user is carried out, and the acquisition and the storage of the datum is a function of at

least the results of this step of authentication (§0026). The motivation/suggestion is the same as in claim 7.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAYLOR ELFERVIG whose telephone number is (571)270-5687. The examiner can normally be reached on Monday - Thursday, 8:00 am - 4:00 pm EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on (571)272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/T. E./

Examiner, Art Unit 4127

/Derrick W Ferris/

Supervisory Patent Examiner, Art Unit 4127